

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY YAOUNDE PRIORITY

C O N F I D E N T I A L STATE 234407

FOR COHEN FROM AF/C

FOLLOWING SENT ACTION NDJAMENA INFO BANGUI FROM SECSTATE NOV 29
REPEATED YOU:

QUOTE

C O N F I D E N T I A L STATE 234407

E.O. 11652: N/A

TAGS: PINT CD

SUBJECT: AMERICAN MISSIONARIES EXPELLED FROM CHAD

REF: NDJAMENA 2036; NDJAMENA 1983

1. ALTHOUGH CHAD IS NOT PARTY TO THE VIENNA CONVENTION ON
CONSULAR RELATIONS, THAT CONVENTION IS GENERALLY REGARDED
AS DECLARATIVE OF CUSTOMARY INTERNATIONAL LAW GOVERNING
CONSULAR RELATIONS AMONG STATES.

2. ON MATTER OF EXPULSIONS, WHILE USG RECOGNIZES INHERENT
RIGHT EACH SOVEREIGN STATE TO EXCLUDE OR EXPEL ALIENS AT
ANY TIME FOR WHATEVER REASONS IT WISHES IN ABSENCE OF AN
AGREEMENT TO THE CONTRARY, SUCH EXPULSION MAY NOT,
CONSISTENT WITH GENERALLY RECOGNIZED PRINCIPLES OF
INTERNATIONAL LAW, BE EFFECTED IN A MANNER WHICH WOULD
VIOLATE MINIMUM STANDARDS OF PROTECTION WHICH MUST BE
AFFORDED EACH INDIVIDUAL. IN THIS CONNECTION, USG TAKES
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POSITION THAT EXPULSIONS WHICH INTER ALIA ARE ARBITRARY

OR DO NOT AFFORD THE INDIVIDUAL SUFFICIENT OPPORTUNITY TO SAFEGUARD HIS PROPERTY OR FAMILY ARE VIOLATIVE INTERNATIONAL LAW. INTERNATIONAL LAW ALSO REQUIRES THAT INDIVIDUAL CONCERNED BE INFORMED OF DEFINITE REASONS FOR EXPULSION AND BE AFFORDED OPPORTUNITY TO COMMUNICATE WITH REPRESENTATIVES OF HIS COUNTRY. IN ORDER ENSURE THAT ITS NATIONALS AFFORDED SUCH BASIC PROTECTION, USG CONSIDERS IMPORTANT ABILITY OF ITS OFFICIAL REPRESENTATIVES TO PRESENT THEIR VIEWS TO AND RECEIVE RESPONSIVE COMMUNICATIONS FROM

OFFICIALS CONCERNED WITH SUCH MATTERS.

3. THE USG TAKES POSITION THAT, TO PROTECT SUCH FUNDAMENTAL RIGHTS AS FREEDOM FROM DISCRIMINATORY OR ARBITRARY TREATMENT, PROPER PROCEDURES FOR EXPULSION OR DETENTION OF ALIENS SHOULD PROVIDE FOR ADEQUATE NOTICE OF SPECIFIC REASONS FOR SUCH ACTION AND OPPORTUNITY FOR THE ALIEN (AND HIS GOVERNMENT) TO ADDRESS ALLEGATIONS UNDERLYING DEPORTATION OR DETENTION.

4. DEPT CONCERNED REGARDING REPORTS RECEIVED BY MISSIONARIES ON DEPARTURE OF CONFISCATION PERSONAL PROPERTY AND HARSH TREATMENT. WIMERS HAVE INFORMED DEPT THAT VAUGHNS, HIRSCHYS AND WIMERS WERE ALLOWED BY CHADIAN POLICE TO TAKE ONLY THEIR SUITCASES LEAVING BEHIND MANY ITEM OF PERSONAL OR SENTIMENTAL VALUE. OTHER PROPERTY CONFISCATED BY POLICE INCLUDES LAND ROVER, PUMP, AND OVER DOLS 50,000 IN PRINTING EQUIPMENT. DETAILED LISTS OF CONFISCATED PROPERTY ARE BEING PREPARED BY ALL WHO WERE EXPELLED.

5. WIMERS ALSO REPORT THAT THE THREE MISSIONARY FAMILIES WERE FORCED ON THE NIGHT OF NOV 17 TO RIDE ELEVEN HOURS FROM SARH TO NDJAMENA ON BALES OF COTTON IN THE BACK OF TRUCKS GUARDED BY POLICE.

6. THERE IS ONLY SPECULATION AS TO WHAT PROMPTED THE EXPULSION ORDER. WIMER SAID ON THE MORNING OF THE 16TH HE MET PRESIDENT OULD DADDAH AT PRESIDENT TOMBALBAYE'S HOME AT SAHR. AT THAT TIME PRESIDENT TOMBALBAYE CONGRATULATED HIM ON THE WORK HE HAD BEEN DOING IN THE FIELD
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OF EDUCATION. THAT EVENING AT 1800 WIMER WAS SERVED WITH THE EXPULSION ORDER.

7. WIMERS REPORTS THAT IN PREVIOUS CONFISCATION OF MISSIONARY PROPERTY SEVERAL YEAR AGO NO COMPENSATION WAS EVER RECEIVED. WHAT ARE POSSIBILITIES OF TRANSFER OF PROPERTY TO ANOTHER COUNTRY OR SALE OF PROPERTY WITH

PROCEEDS GOING OWNER.

8. DEPT SUGGESTS EMBASSY SEND DIPLOMATIC NOTE IN WHICH
GENERAL PRINCIPLES AS STATED IN PARAS 1, 2 AND 3 ARE
APPLIED TO SPECIFIC FACTS OF THESE CASES.

9. AS OTHER MISSIONARIES MAY BE AFFECTED BY THE ABOVE,
DEPT WOULD APPRECIATE CONTINUOUS REPORTING IN VIEW OF
POSSIBLE INQUIRIES FROM THE PRESS, MISSION HEADQUARTERS
AND OTHER INTERESTED GROUPS. KISSINGER

UNQUOTE KISSINGER

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